

Appl. No. : 09/354,058
Filed : July 15, 1999

REMARKS

Claims 1–4, 7–13, 15–17, 19–23, 25–27, 29 and 30 were pending in the present application. By this Response, Applicant is amending Claims 1, 4, 20, 23 and 27. Claims 2, 3, 7–13, 15–17, 19, 21, 22, 25, 26, 29 and 30 remain as previously presented. Thus, after entry of the foregoing amendments, Claims 1–4, 7–13, 15–17, 19–23, 25–27, 29 and 30 are presented for further consideration.

ALLOWABLE SUBJECT MATTER

Applicant thanks the Examiner for the allowance of Claims 10–13 and 15 and for the indication of allowable subject matter in the remaining pending claims. In particular, the January 30, 2007 Office Action indicated that independent Claims 1, 4, 16, 20, 23 and 27 would be allowable if rewritten to overcome the 35 U.S.C. § 112 rejections. Moreover, the Office Action indicated that Claims 2, 3, 7–9, 11–13, 15, 17, 19, 21, 22, 25, 26, 29 and 30 would be allowable if the rejections of the base claims were overcome.

REJECTIONS UNDER 35 U.S.C. § 112

The January 30, 2007 Office Action rejected Claims 1, 4, 16, 20, 23 and 27 under 35 U.S.C. § 112, second paragraph, for various formalities. Although Applicant believes that the claims as previously presented were in condition for allowance, Applicant is clarifying Claims 1, 4, 20, 23 and 27 to include suggestions made by the Examiner in the April 26, 2007 interview.

Thus, in view of the foregoing amendments discussed in more detail below, Applicant respectfully requests reconsideration and allowance of the aforementioned claims.

Claim 1

Applicant has amended the last element of Claim 1 to read “**the** manager component” instead of “a manager component.”

Claim 4

Applicant has clarified Claim 4 to recite that the first manager component is communicatively coupled to at least one backup device and controls the backup of data.

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Claim 16

As discussed during the interview, "the first group of network computing devices" recited in the second element of Claim 16 appears to have sufficient antecedent basis from "a first group of network computing devices" recited in the first element.

Claim 20

Applicant has amended the last element of Claim 20 to recite: (a) "a first backup cell" to provide sufficient antecedent basis for the later recited "the first backup cell" and (b) "the manager component" instead of "a manager component."

Claim 23

Applicant has amended the last element of Claim 23 to read "the manager component" instead of "a manager component."

Claim 27

Applicant has amended the last element of Claim 27 to recite: (a) "a first backup cell" to provide sufficient antecedent basis for the later recited "the first backup cell" and (b) "the manager component" instead of "a manager component."

CONCLUSION

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain, the Examiner is cordially invited to contact the undersigned such that the issues may be promptly resolved.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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